

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8973 of 2016

Arising Out of PS.Case No. -342 Year- 2015 Thana -TEGHRA District- BEGUSARAI

1. Anchala Devi W/o Nand Kishore Chaudhry
2. Nand Kishore Chaudhry S/o Late Uchit Chaudhry R/o village - Ulaow,
P.S. Muffasil, Distt. - Begusarai

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Amrendra Prasad(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 25-04-2016 Heard the learned counsel for the petitioners as well
as the learned A.P.P. for the State.

The petitioners seek bail in a case for the offences
punishable under sections 420, 467, 468, 471 and 472/34 of the
Indian Penal Code.

Allegedly, the petitioner no.2 took two vehicles from
the informant to ply on the road on payment of Rs.75,000/- and
Rs.55,000/- respectively per month and for that an agreement was
also executed. When the petitioner no.2 failed to pay the rent then
he gave cheque of Rs.2,25,000/- signed by petitioner no.1 of
U.Co. Bank, Branch Ulao, Begusarai but that cheque was
dishonoured.



Submission is of false implication and that no notice was ever served under Negotiable Instrument Act, the said cheque was given by way of security, no offence as alleged is made out, it can be purely a case either of the breach of the contract or bouncing of cheque and the petitioners are in custody since 29.12.2015, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the petitioners have cheated the informant and did not comply the terms of agreement and further gave cheque without having sufficient money in the account.

In the facts and circumstances stated above, considering that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioners, above named, are directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No.342 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court

concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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